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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/020,577	12/18/2001	Naotaka Hanai	01227	5700

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EXAMINER

TRAN A, PHI DIEU N

ART UNIT

PAPER NUMBER

3637

DATE MAILED: 07/08/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/020,577

Applicant(s)

HANAI ET AL.

Examiner

Phi D A

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) 1-23 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 24-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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Election/Restrictions

1. Applicant's election with traverse of claims 24-27 in Paper No. 7 is acknowledged. Since applicant has not provided any reason as to why the restriction is traverse, the election is thus treated as without traverse. The requirement is still deemed proper and is therefore made FINAL.

Specification

2. The disclosure is objected to because of the following informalities: page 5 line 21 “windshield 2 has an first surface 2a” is improper. Should it be “windshield 2 has a first surface 2a”?

Appropriate correction is required.

3. PRODUCT BY PROCESS CLAIM:

“The subject matter present in claims 24-27 is regarded as a product by process claim in which a product is introduced by the method in which it is made. It is the general practice of this office to examine the final product described regardless of the method provided by the applicant.”

The limitations “in situ”, and “extruding a molten or substantially liquid molding material” are Product By Process limitations, and thus treated accordingly to the above office policy.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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2. Claims 24, 26 are rejected under 35 U.S.C. 102(b) as being anticipated by Mozawa et al (5197243).

Mozawa et al (figure 2) shows a panel unit having a panel (1) comprising glass, a molding (5) formed along a peripheral edge of the panel having an extension that partially covers a surface of the panel and an end surface of the extension (the end surface to the right of part 3c) being inclined at an obtuse angle relative to the panel surface, a cover tape (9) disposed between the extension of the molding and the panel surface, the tape disposed on the panel substantially adjacent to the molding(5).

3. Claim 26 is rejected under 35 U.S.C. 102(b) as being anticipated by Endoh et al (4894972).

Endoh et al (figure 3) shows a panel unit comprising a panel (14), an in situ formed molding (16) formed along a peripheral edge of the panel (the molding is formed after the die comes together with the tape and thus adjacent to the tape), a cover tape (42) disposed on the panel surface substantially adjacent to the formed molding.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mozawa et al (5197243).

Mozawa et al shows all the claimed limitations except for the tape having a thickness of about 0.03 to 1.0 mm and comprising a first layer comprising a synthetic resin and a second layer comprising a removable self-adhesive material.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Mozawa et al to show the tape having a thickness of about 0.03 to 1.0 mm and comprising a first layer comprising a synthetic resin and a second layer comprising a removable self-adhesive material because having the tape made of a synthetic resin layer and a self-adhesive material layer would enable the easy attaching and removing of the tape from the surface of the panel (1), and having the thickness of the tape of about 0.03 to 1.0mm would enable the tape to be easily inserted within opening of the molding (7, figure 8) while creating a opaque layer on the rear peripheral surface of the pane to block the visibility of the window plate from the outside (col 5 lines 5-9)

6. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Endoh et al (4894972).

Endoh et al does not show the tape having a width between about 1-5 centimeters and a thickness of about 0.03 to 1.0mm and comprising a first layer of synthetic resin and a second layer comprising a removable self-adhesive material.

Endoh et al (col 7 lines 51-55) discloses the tape being fluoroelastomer, fluororubber, silicone elastomer, silicone rubber, and other resilient plastics, the tape being in the form of solid, foam, hollow body or combined body.

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Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art shows different window assembly designs.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phi D A whose telephone number is 703-306-9136. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on 703-308-2486. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9326 for regular communications and 703-872-9327 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

Phi Dieu Tran A
June 29, 2003

PA

LANNA MAI
SUPERVISORY PATENT EXAMINER
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Lannamai